

REMARKS

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1 to 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art (AAPA).

Claim 3 has been amended to more particularly and distinctly claim the invention. New claims 11 and 12 have been added. Support is found at paragraphs [0012] and [0029] to [0031], for example.

Reconsideration of the application based on the following remarks is respectfully requested.

35 U.S.C. 103(a) Rejections

Claims 1 to 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over AAPA. AAPA is described at paragraphs [0003] to [0008] of the specification.

Claim 1 recites: “[a] method for digital imaging of a printing form through application of energy, the printing form having a burn-off area detachably fixed by supporting points in the burn-off area, the supporting points being left in place on the printing form through non-imaging of image spots, the method comprising the steps of:

leaving in place at least one of the supporting points in at least one reference point if a number of image spots to be imaged in a surrounding area of the reference point exceeds a limit value and a boundary area in the surrounding area around the reference point contains only image spots to be imaged; and

detaching burn-off from the burn-off area from the printing form in a cleaning step.”

It is respectfully submitted that AAPA clearly does not disclose “leaving in place at least one of the supporting points in at least one reference point if a number of image spots to be imaged in a surrounding area of the reference point exceeds a limit value and a boundary area in the surrounding area around the reference point contains only image spots to be imaged” recited in claim 1. AAPA discloses that supporting points were simply set at uniform intervals and does not in any way disclose taking into account image spots of “a surrounding area of at least one reference point” or “a limit value,” as recited in claim 1. (See present specification, paragraph [0008]). Thus, AAPA only discloses leaving in place at least one of the supporting points and

not “leaving in place at least one of the supporting points in at least one reference point if a number of image spots to be imaged in a surrounding area of the reference point exceeds a limit value and a boundary area in the surrounding area around the reference point contains only image spots to be imaged” as required by claim 1.

Furthermore, it is respectfully submitted that the Examiner’s reference to points 84 depicted in Fig. 5b is clearly misguided. Claim 1 is a method claim and the “leaving” step of claim 1 clearly requires a determination in relation to a “surrounding area” and a determination in relation to a “boundary area” of the “reference point.” AAPA does not involve any such determination, supporting points are merely left in place in a uniform grid. Regardless of the outcome of where supporting points are left in place in Fig. 5b, the method of leaving the supporting points in place is clearly not by the method recited in claim 1. It is respectfully submitted that the Examiner’s failure to consider the language “if a number of image spots to be imaged in a surrounding area of the reference point exceeds a limit value and a boundary area in the surrounding area around the reference point contains only image spots to be imaged” of claim 1 is clear error. Because AAPA does not disclose the entire “leaving” step of claim 1, AAPA does not anticipate claim 1.

Withdrawal of the rejection under 35 U.S.C. §103(a) of claim 1, and claims 2 to 10 depending therefrom, is respectfully requested.

CONCLUSION

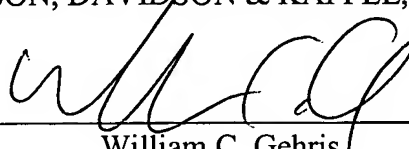
It is respectfully submitted that the application is in condition for allowance and applicant respectfully requests such action.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

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